

AO91 (Rev. 12/03) Criminal Complaint

UNITED STATES DISTRICT COURT

DISTRICT OF _____

UNITED STATES OF AMERICA

V.

Michael Rader

FILED

DEC 02 2005

CRIMINAL COMPLAINT

Case Number:

EDL

3 05 70967

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,

(Name and Address of Defendant) NORTHERN DISTRICT OF CALIFORNIA

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 5/16/05[†] in San Francisco County, in the Northern District of California defendant(s) did,

(Type Statutory Language of Offense)

See Attachment A

in violation of Title 21 United States Code, Section(s) 846 and 843(b).I further state that I am a(n) Special Agent Official Title and that this complaint is based on the following facts:

See Attachment B

Continued on the attached sheet and made a part of this complaint:

 Yes No

Signature of Complainant

Jacob D. Millspaugh

Printed Name of Complainant

Sworn to before me and signed in my presence,

12/2/2005

Date

Hon. Bernard Zimmerman
U.S. Magistrate Judge

Name of Judge

Title of Judge

at San Francisco California

City

State

Signature of Judge

ATTACHMENT A

COUNT ONE:

On May 16, 2005, and May 17, 2005, in the Northern District of California, defendant **MICHAEL RADER** and others did conspire to distribute or possess with intent to distribute 3,4 methylenedioxymethamphetamine in violation of Title 21, Section 846.

Maximum Penalty: Twenty years imprisonment; a fine up to \$1 million; 3 years supervised release; and a \$100 special assessment.

COUNT TWO:

On May 16, 2005, and May 17, 2005, in the Northern District of California, defendant **MICHAEL RADER** did use a communication facility to commit or facilitate the commission of a felony in violation of Title 21, Section 843(b).

Maximum Penalty: Four years imprisonment; a fine up to \$250,000; 3 years supervised release; and a \$100 special assessment.

ATTACHMENT B

UNITED STATES DISTRICT COURT)
NORTHERN DISTRICT OF CALIFORNIA) **AFFIDAVIT IN SUPPORT OF**
COMPLAINT

I, Jacob D. Millspaugh, being duly sworn, depose and state the following:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed since January, 2005. I am currently assigned to the Russian/Eurasian Organized Crime Squad at the FBI San Francisco Office.
2. The statements contained in this affidavit are based on my personal knowledge derived from my participation in this investigation and on information from the following sources which I believe to be reliable: oral and written reports from federal, state and local law enforcement officials; physical surveillance; analysis of telephone toll records and information from pen register/trap and trace; and review of intercepted conversations from court authorized Title III electronic surveillances.
3. This affidavit is being submitted in support of a criminal complaint charging Michael RADER (hereafter referred to as RADER) with (1) conspiracy to distribute and possess with intent to distribute a controlled substance, to wit 3,4 methylenedioxymethamphetamine (MDMA, hereafter ecstasy), in violation of Title 21, United States Code, Section 846 and (2) with use of a communication facility to commit or facilitate a felony , in violation of Title 21, United States Code, Section 843(b).

I. OVERVIEW

This investigation began in October 2004, when Semyon NEYS, aka Sam NEYS (hereafter referred to as NEYS) was identified as a dealer of large volumes of crystal methamphetamine (hereafter methamphetamine). On April 8, 2005, a Title III electronic surveillance of NEYS's mobile telephone (telephone number 415-710-3455, hereafter referred to as NEYS's phone) began. NEYS was later indicted in the Northern District of California for charges that are detailed in paragraph 5. During the course of the NEYS investigation and Title III electronic

1 surveillance, RADER was identified as a drug dealer and associate of NEYS.

2 On July 28, 2005, a Federal Grand Jury in the Northern District of California indicted NEYS,
3 Yevgeny FRIDMAN, Ilya TUCHINSKY, Christopher CALDER and others on the following
4 charges: Conspiracy to distribute a controlled substance, to wit methamphetamine and ecstasy,
5 in violation of Title 21, United States Code, Section 846; and NEYS, Yevgeny FRIDMAN,
6 Christopher CALDER and others with distribution and possession with the intent to distribute a
7 controlled substance, to wit methamphetamine and ecstasy, in violation of Title 21, United States
8 Code, Section 841(a)(1). This indictment is attached as Attachment C and is incorporated by
9 reference.

10 **II. TITLE III INVESTIGATION**

11 On April 8, 2005, the Honorable Marilyn H. Patel, United States District Judge, Northern
12 District of California, in CR-0590151-MISC-MHP, authorized the interception of wire
13 communications of NEYS; and others then known and unknown, over NEYS's phone.

14 Interception began on April 8, 2005 and ended on May 7, 2005.

15 On May 10, 2005, the Honorable Marilyn H. Patel, United States District Judge, Northern
16 District of California, in CR-0590151-MISC-MHP, authorized the interception of wire and
17 electronic communications of NEYS; and others then known and unknown, over NEYS's
18 phone. Interception began on May 10, 2005 and ended on June 8, 2005.

19 On May 31, 2005, the Honorable Marilyn H. Patel, United States District Judge, Northern
20 District of California, in CR-0590151-MISC-MHP, authorized the interception of wire
21 communications of Christopher CALDER; Semyon NEYS; and others then known and
22 unknown, over 415-726-1696. Interception began on June 2, 2005 and ended on June 30,
23 2005. RADER was not intercepted during this Title III surveillance and was not known to have
24 any contact with Christopher CALDER.

25 On July 1, 2005, the Honorable Marilyn H. Patel, United States District Judge, Northern District
26 of California, in CR-0590151-MISC-MHP, authorized the interception of wire and electronic
27 communications of NEYS; and others then known and unknown, over NEYS's phone.

1 Interception began on July 5, 2005 and ended on July 11, 2005.

2 **SUBJECTS OF THE INVESTIGATION**

3 10. Semyon NEYS is believed to be a middle man in a methamphetamine, ecstasy, cocaine,
4 firearms, and stolen electronic equipment trafficking operation. NEYS plays a leadership role
5 among various individuals in a loosely organized crime group that consists of ethnic Russian and
6 non-Russian members, who are allegedly involved in drug distribution, identity theft, credit card
7 fraud, automobile theft, electronic equipment theft and crimes of violence. NEYS was initially
8 identified when he was arrested by the South San Francisco Police Department on November
9 21, 2003 for drug and weapons possession. NEYS was further identified during numerous
10 subsequent surveillances.

11 11. Yevgeny FRIDMAN (hereafter referred to as FRIDMAN) is believed to be a drug dealer and
12 associate of NEYS and RADER. FRIDMAN was identified as the user of telephone number
13 415-710-3564. Telephone number 415-710-3564 (hereafter referred to as FRIDMAN's
14 phone) is subscribed to Yevgeny FRIDMAN with an address of 2469 Liberty Court, South San
15 Francisco, California.

16 12. Ilya TUCHINSKY (hereafter referred to as TUCHINSKY) is believed to be a drug dealer and
17 associate of NEYS and RADER. TUCHINSKY was identified as the user of telephone
18 number 415-637-0075. Telephone number 415-637-0075 (hereafter referred to as
19 TUCHINSKY's phone) is subscribed to Ilya TUCHINSKY with an address of 2642 38th
20 Avenue, San Francisco, California.

21 13. Eugene ZAYCHENKO (hereafter referred to as ZAYCHENKO) is believed to be an associate
22 of both NEYS and RADER. ZAYCHENKO was identified as the user of telephone number
23 415-265-4516. Telephone number 415-265-4516 (hereafter referred to as ZAYCHENKO's
24 phone) is subscribed to Larisa DRAGUNSKAYA with an address of 324 32nd Avenue, San
25 Francisco, California. California Department of Motor Vehicles (hereafter referred to as
26 California DMV) records for ZAYCHENKO indicate his address is also 324 32nd Avenue,
27 Apartment 1, San Francisco, California. ZAYCHENKO was identified through telephone

1 subscriber records and California DMV records.

2 14. Michael RADER is believed to be a drug dealer who purchases ecstasy from NEYS. RADER
3 was identified through physical surveillance and California DMV records.

4 **IV. MICHAEL RADER'S ASSOCIATION WITH SEMYON NEYS**

5 15. During the course of the Title III electronic surveillance of NEYS's phone, there were 24
6 intercepted telephone calls either to or from telephone number 415-265-0943. Telephone
7 number 415-265-0943 is subscribed to Golda RADER with an address of 822 31st Avenue,
8 San Francisco, California. The address, 822 31st Avenue, San Francisco, California, is the
9 same address that the California DMV has on record for RADER.

10 16. On May 3, 2005, at approximately 1:55 PM, NEYS placed an outgoing call using NEYS's
11 phone to 415-265-0943. The call was not answered and the following is a summary of the
12 recorded voice mail message: You've reached Mike, sorry I missed your call but leave a
13 message and I'll call you back.

14 17. Based on the information described in paragraphs 15 and 16, I believe that Michael RADER
15 uses telephone number 415-265-0943 (hereafter referred to as RADER's 1st phone) and that
16 RADER had contact with NEYS using this telephone number.

17 18. Also, during the course of the Title III electronic surveillance of NEYS's phone, there were 24
18 intercepted telephone conversations where either NEYS or one of NEYS's associates referred
19 to an individual named Rader. The following six intercepted telephone calls, detailed in
20 paragraphs 19 - 24, are a representative sample of these calls.

21 19. On April 12, 2005, at approximately 1:17 AM, NEYS placed an outgoing call using NEYS's
22 phone to FRIDMAN on FRIDMAN's phone. During this call NEYS and FRIDMAN had a
23 coded conversation that was partly spoken in Russian and partly in English. Based on the
24 translated transcript, the following is a summarized excerpt from that conversation: NEYS asks
25 FRIDMAN how much money Rader gave him.

26 20. On April 14, 2005, at approximately 8:32 AM, NEYS received an incoming call on NEYS's
27 phone from FRIDMAN using FRIDMAN's phone. During this call NEYS and FRIDMAN had
28

1 a coded conversation that was partly spoken in Russian and partly in English. Based on the
2 translated transcript, the following is a summarized excerpt from that conversation: NEYS and
3 FRIDMAN discuss where Zhenya and Rader were when they got busted.

4 21. On April 30, 2005, at approximately 10:28 PM, NEYS placed an outgoing call using NEYS's
5 phone to ZAYCHENKO on ZAYCHENKO's phone. During this call NEYS and
6 ZAYCHENKO had a coded conversation that was partly spoken in Russian and partly in
7 English. Based on the translated transcript, the following is a summarized excerpt from that
8 conversation: NEYS tells ZAYCHENKO he wants to share some information with Rader.

9 22. On May 5, 2005, at approximately 11:03 PM, NEYS placed an outgoing call using NEYS's
10 phone to ZAYCHENKO on ZAYCHENKO's phone. During this call NEYS and
11 ZAYCHENKO had a coded conversation that was partly spoken in Russian and partly in
12 English. Based on the translated transcript, the following is a summarized excerpt from that
13 conversation: ZAYCHENKO tells NEYS that Rader is there and NEYS asks ZAYCHENKO
14 if Rader has a ball with him.

15 23. On May 7, 2005, at approximately 9:18 AM, NEYS placed an outgoing call using NEYS's
16 phone to FRIDMAN on FRIDMAN's phone. During this call NEYS and FRIDMAN had a
17 coded conversation that was partly spoken in Russian and partly in English. Based on the
18 translated transcript, the following is a summarized excerpt from that conversation: FRIDMAN
19 asks NEYS if he told Zhenya about Rader.

20 24. On May 14, 2005, at approximately 1:09 AM, NEYS placed an outgoing call using NEYS's
21 phone to TUCHINSKY on TUCHINSKY's phone. During this call NEYS and TUCHINSKY
22 had a coded conversation that was partly spoken in Russian and partly in English. Based on the
23 translated transcript, the following is a summarized excerpt from that conversation: NEYS asks
24 TUCHINSKY where Rader is because he owes him money.

25 25. Based on the information obtained from the above described intercepted telephone
26 conversations, I believe that NEYS and his associates knew and had business dealings with an
27 individual named Rader. I have been informed by Russian linguists and translators who are
28

1 employed by the FBI that the name Zheyina, referenced in paragraphs 20 and 23, is a Russian
2 familiar form of the Russian name Yevgeny which is commonly spelled Eugene in the United
3 States. Based on this, I believe that the Zhenya mentioned in paragraphs 20 and 23 refer to
4 ZAYCHENKO and that the conversation described in paragraph 20 referred to the January 14,
5 2005 arrest by the San Francisco Police Department (SFPD) of ZAYCHENKO and RADER
6 (SFPD report number 050051843). I also believe, based on my training and experience, that
7 the ball mentioned to in paragraph 22 refers to an eighth of an ounce of drugs.

8 **V. MICHAEL RADER'S SECOND MOBILE TELEPHONE NUMBER**

9 During the course of the Title III electronic surveillance of NEYS's phone it was determined that
10 RADER also used telephone number 415-368-3278 to call NEYS. Telephone number 415-
11 368-3278 (hereafter referred to as RADER's 2nd phone) was subscribed to Jonathan SIGAL
12 with an address of 954 Market Street, San Francisco, California. The subscriber information
13 provided by Metro PCS listed Jonathan SIGAL's date of birth (DOB) as February 9, 1979. It
14 should be noted that RADER's DOB is February 8, 1980. The California DMV had one record
15 for a Jonathan SIGAL that lives in the state of California. California DMV records for Jonathan
16 SIGAL lists a current address of 29 Seamast Passage, Corte Madera, California and a DOB of
17 May 16, 1954.

18 On April 17, 2005, at approximately 6:50 AM, NEYS placed an outgoing call using NEYS's
19 phone to an unknown male (hereafter referred to as UM) on RADER's 2nd phone. During this
20 call NEYS and UM had a conversation that was spoken in English. Based on my review of the
21 call, the following is a summarized excerpt from that conversation: NEYS and UM discuss
22 taking care of a dog and decide to meet at a Safeway Supermarket.

23 On April 17, 2005, at approximately 6:58 AM, NEYS received an incoming call on NEYS's
24 phone from UM using RADER's 1st phone. During this call NEYS and UM had a conversation
25 that was spoken in English. Based on my review of the call, the following is a summarized
26 excerpt from that conversation: UM asks NEYS if he wants anything from Burger King and
27 NEYS discusses the dog.

1 29. On May 28, 2005, at approximately 8:40 PM, NEYS received an incoming call on NEYS's
2 phone from UM using RADER's 2nd phone. During this call NEYS and UM had a coded
3 conversation that was partly spoken in Russian and partly in English. Based on the translated
4 transcript, the following is a summarized excerpt from that conversation: NEYS refers to UM as
5 Mish.

6 30. On May 28, 2005, at approximately 10:51 PM, NEYS received an incoming call on NEYS's
7 phone from UM using RADER's 2nd phone. During this call NEYS and UM had a coded
8 conversation that was partly spoken in Russian and partly in English. Based on the translated
9 transcript, the following is a summarized excerpt from that conversation: NEYS greets the caller
10 as Misha.

11 31. On May 28, 2005, at approximately 11:37 PM, NEYS received an incoming call on NEYS's
12 phone from UM using RADER's 2nd phone. During this call NEYS and UM had a coded
13 conversation that was partly spoken in Russian and partly in English. Based on the translated
14 transcript, the following is a summarized excerpt from that conversation: NEYS refers to UM as
15 Mish.

16 32. I have been informed by Russian linguists and translators who are employed by the FBI that the
17 name Misha, referenced in paragraph 30, is the Russian familiar form of the Russian name
18 Mikhail which is commonly spelled Michael in the United States. I believe that the name Mish,
19 that was referenced in paragraphs 29 and 31, is a shortened form of Misha. Based on my
20 review of the intercepted telephone calls described in paragraphs 27 and 28, as well as voice
21 recognition, I believe that the user of RADER's 2nd phone and the user of RADER's 1st phone,
22 are the same person. Also, based on intercepted telephone conversations that were described in
23 paragraphs 29 through 31, as well as the intercepted telephone conversations and physical
24 surveillance referenced in paragraphs 33 through 42, I believe that the actual user of RADER's
25 2nd phone is Michael RADER.

26 **VI. SUBSTANTIVE DRUG TRANSACTION**

27 33. On May 16, 2005, at approximately 10:09 PM, NEYS received an incoming call on NEYS's
28

1 phone from RADER using RADER's 2nd phone. During this call NEYS and RADER had a
2 coded conversation that was partly spoken in Russian and partly in English. Based on the
3 translated transcript, the following is a partial summary of that conversation: RADER wants to
4 buy 175 horses (type of ecstasy pill) from NEYS. NEYS has to buy a whole boat (1000
5 ecstasy pills) from his supplier. RADER will buy 200 seahorses (type of ecstasy pill) if NEYS
6 has to buy a boat from his supplier. NEYS tells RADER that if he buys 200 he will charge
7 RADER \$4.50 per pill so the total will be \$900. NEYS tells RADER that his supplier is on the
8 other line and that he'll call RADER right back.

9 34. On May 16, 2005, at approximately 10:51 PM, NEYS received an incoming call on NEYS's
10 phone from RADER using RADER's 2nd phone. During this call NEYS and RADER had a
11 coded conversation that was partly spoken in Russian and partly in English. Based on the
12 translated transcript, the following is a partial summary of that conversation: RADER asks
13 NEYS if everything is cool. NEYS says it is and he'll be ready in 20 minutes. RADER says he
14 has the money now. NEYS tells him that he (NEYS) has to go to Chinatown to grab it and then
15 he'll be right there.

16 35. On May 16, 2005, at approximately 11:55 PM, NEYS placed an outgoing call using NEYS's
17 phone to RADER on RADER's 2nd phone. During this call NEYS and RADER had a coded
18 conversation that was partly spoken in Russian and partly in English. Based on the translated
19 transcript, the following is a partial summary of that conversation: RADER asks NEYS where
20 he is. NEYS says he is at Pine and Mason (streets in San Francisco). RADER says he is at
21 Mason and Ellis (streets in San Francisco) and asks NEYS if he wants to meet at the garage at
22 Mason and Ellis. NEYS asks RADER to come to him at Pine and Mason. RADER will be
23 there in a couple of minutes.

24 36. On May 16, 2005, at approximately 11:57 PM, FBI Agents observed NEYS standing in the
25 rear parking lot of Grosvenor Suites, located at 899 Pine Street, San Francisco, California.
26 Grosvenor Suites is located on the southeast corner of the intersection of Pine Street and Mason
27 Street in San Francisco.

1 37. On May 17, 2005, at approximately 12:14 AM, NEYS received an incoming call on NEYS's
2 phone from RADER using RADER's 2nd phone. During this call NEYS and RADER had a
3 coded conversation that was partly spoken in Russian and partly in English. Based on the
4 translated transcript, the following is a partial summary of that conversation: NEYS asks
5 RADER what's up. RADER says he's sorry but his car battery is dead and asks NEYS to
6 come to him. NEYS says all right. RADER tells NEYS that the garage is on Mason and Ellis,
7 two doors down from the building entrance. NEYS tells RADER he will see him there.

8 38. On May 17, 2005, at approximately 12:08 AM, FBI Agents observed NEYS driving near the
9 intersection of Pine Street and Ellis Street in San Francisco.¹

10 39. On May 17, 2005, at approximately 12:21 AM, NEYS received an incoming call on NEYS's
11 phone from RADER using RADER's 2nd phone. During this call NEYS and RADER had a
12 coded conversation that was partly spoken in English. Based on the transcript, the following is a
13 partial summary of that conversation: NEYS tells RADER that he passed it because a cop was
14 behind him. RADER asks if the cop is still behind him. NEYS says no. RADER tells NEYS to
15 come back around. NEYS tells RADER that he does not want to meet there because he has a
16 bad feeling. RADER will get somebody in the garage to give him a jump and call NEYS in two
17 minutes.

18 40. On May 17, 2005, at approximately 12:34 AM, NEYS received an incoming call on NEYS's
19 phone from RADER using RADER's 2nd phone. During this call NEYS and RADER had a
20 coded conversation that was spoken in English. Based on the transcript, the following is a partial
21 summary of that conversation: NEYS tells RADER that he is standing at Alhambra and Pierce
22 (streets in San Francisco). RADER tells NEYS that he will be on Van Ness in a minute.

23
24 ¹Approximate times listed for telephone calls are based on internal clocks for the interception
25 equipment. Approximate times listed for surveillance observations are based on personal watches and/or
26 automobile radio clocks. These different devices have not been synchronized and hence slight discrepancies
27 in reported times should be expected.

1 41. On May 17, 2005, at approximately 12:39 AM, NEYS received an incoming call on NEYS's
2 phone from RADER using RADER's 2nd phone. During this call NEYS and RADER had a
3 coded conversation that was partly spoken in Russian and partly in English. Based on the
4 translated transcript, the following is a partial summary of that conversation: NEYS asks where
5 RADER is. RADER tells NEYS that he is on Washington and Van Ness (streets in San
6 Francisco). RADER tells NEYS to go to the Chevron on Van Ness. RADER says he meant
7 on Lombard (street in San Francisco). RADER says that on Lombard at Octavia or Buchanan
8 (streets in San Francisco) there is a Chevron with a Shell across the street. NEYS says ok.
9 RADER tells NEYS to meet at the Shell because he knows the guy that works there. RADER
10 tells NEYS to stay at Mel's.

11 42. On May 17, 2005, at approximately 12:50 AM, while conducting a physical surveillance of the
12 activity described in paragraphs 37 through 45, your affiant was using a gasoline pump at the
13 Shell gas station located at 1800 Lombard Street, San Francisco, California, which was
14 believed to be the Shell gas station that NEYS and RADER had referenced in their intercepted
15 conversation described in paragraph 45. While your affiant was pumping gasoline, an unknown
16 male (later identified as RADER) approached your affiant and asked if he could jump off his car
17 because his battery was dead. RADER was observed to be driving a silver Acura, bearing
18 California License Plate number 4PGA719, and was parked at the Shell gas station.
19 Subsequently, The California Department of Motor Vehicles was checked and the registered
20 owners of the above mentioned silver Acura were determined to be Leon RADER and Michael
21 RADER. After a review by your affiant of the California DMV driver's license photograph of
22 RADER, number B6973475, RADER's identity was confirmed.

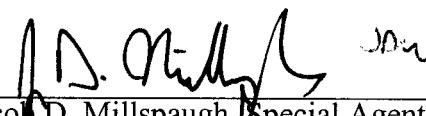
23 43. Based on the information obtained from intercepted telephone conversations and physical
24 surveillance described in paragraphs 33 through 42, I have probable cause to believe that
25 NEYS and RADER committed the following federal offenses: Conspiracy to distribute and
26 possess with intent to distribute a controlled substance, to wit ecstasy, in violation of Title 21,
27 United States Code, Section 846; Use of a communication facility to commit or facilitate a
28

1 felony , in violation of Title 21, United States Code, Section 843(b).

2 **VII. CONCLUSION**

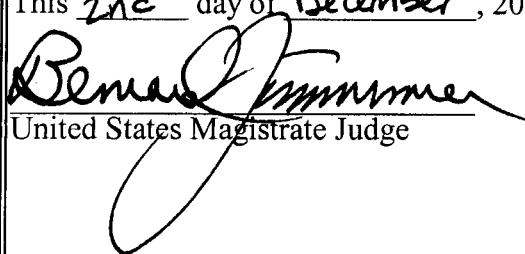
3 44. Based on the above mentioned facts set forth in this affidavit, your affiant believes there is
4 probable cause to believe that on or about May 16, 2005, and May 17, 2005, in the Northern
5 District of California, defendants NEYS and RADER did conspire with intent to distribute
6 ecstasy in violation of Title 21, Section 846.

7 45. Based on the above mentioned facts set forth in this affidavit, your affiant believes there is
8 probable cause to believe that on or about May 16, 2005, and May 17, 2005, in the Northern
9 District of California, defendant RADER did use a communication facility to commit or facilitate
10 the commission of a felony in violation of Title 21, Section 843(b).

11
12 
13 Jacob D. Millspaugh, Special Agent
14 Federal Bureau of Investigation

15 SUBSCRIBED & SWORN to before me on

16 This 2nd day of December, 2005.

17 
18 Bernadine J. Zimmerman
19 United States Magistrate Judge

ATTACHMENT C

1 KEVIN V. RYAN (CASBN 118321)
2 United States Attorney
3
4
5
6
7

FILED

JUL 28 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VRW

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11
12 UNITED STATES OF AMERICA

CR

NO.

05 00491

13 Plaintiff,

14 v.

15 SEMYON NEYS,
aka "Sam"

16 YEVGENY FRIDMAN,
aka "Eugene" "Irusik" Zhenya"

17 JENA DAVIS,

18 URIEL SOTOMAYOR,
aka "Jiga"

19 JASON TANG,
aka "Jay"

20 ANTHONY NGUYEN,
aka "Tuan"

21 ILYA TUCHINSKY,
CHRISTOPHER LEE CALDER,

22 PAUL ANCAJIMA,
AARON DELAROSA,

23 CHARLES MOORE,
JESUS POMPERADA BASCO,

24 aka "Jessie"

25 NEIL PAUL SANDERS,
OLEG GLADSHTEYN, and
26 WHITNEY OSTERHOUT,

27 Defendants.

1 VIOLATIONS: 21 U.S.C. § 841(a)(1) --
Distribution and Possession With Intent To
Distribute Methamphetamine; 21 U.S.C. §
841(a)(1) -- Distribution and Possession
With Intent To Distribute 3,4
Methylenedioxymethamphetamine; 21
U.S.C. § 846 -- Conspiracy to Distribute and
Possess With Intent to Distribute
Methamphetamine and 3,4
Methylenedioxymethamphetamine; 18
U.S.C. § 2 -- Aiding and Abetting

SAN FRANCISCO VENUE

28 INDICTMENT

INDICTMENT

United States District Court **FILED**

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

JUL 28 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

Semyon Neys, aka "Sam;" et al,

DEFENDANT.

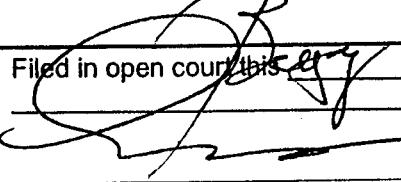
INDICTMENT

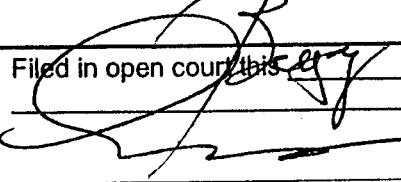
See Attached Penalty Sheet.

A true bill.


Foreman

Filed in open court this 28 day of July 2005


BETTY FONG


EDWARD M. CHEN
UNITED STATES MAGISTRATE JUDGE

Neys - No Process

Caldin - No Process

Clerk

Friedkin - NB warrant

Amaguz - No Process

Dunn - No Process

Bail, \$

Soto Maren - NB warrant

Delarosa - NB warrant

Tang - NB warrant

Moor - NB warrant

Nguyen - NB warrant

Berry - No Process

P. Linton - No Process

Sandler - No Process

Gladstien -
NB warrant

O'Sullivan - NB
warrant

1 The Grand Jury charges:

2 COUNT ONE: (21 U.S.C. § 846 -- Conspiracy to Distribute Methamphetamine and Ecstasy)

3 On or about and between October, 2004 and July 12, 2005, in the Northern District of
4 California, and elsewhere, the defendants

5 SEMYON NEYS,
aka "Sam"
6 YEVGENY FRIDMAN,
aka "Eugene" "Irusik" Zhenya"
7 JENA DAVIS,
URIEL SOTOMAYOR,
aka "Jiga"
8 JASON TANG,
aka "Jay"
9 ANTHONY NGUYEN,
aka "Tuan"
10 ILYA TUCHINSKY,
CHRISTOPHER LEE CALDER,
PAUL ANCAJIMA,
AARON DELAROSA,
CHARLES MOORE,
JESUS POMPERADA BASCO,
aka "Jessie"
11 NEIL PAUL SANDERS,
OLEG GLADSSTEYN, and
12 WHITNEY OSTERHOUT,

13 did, along with others known and unknown to the grand jury, knowingly and intentionally
14 conspire to distribute and to possess with intent to distribute a Schedule II controlled substance,
15 to wit: 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, and a
16 Schedule I controlled substance, to wit: 3,4 methylenedioxymethamphetamine (MDMA), also
17 known as ecstasy, in violation of Title 21, United States Code, Section 846.

18 COUNT TWO: (21 U.S.C. § 841(a)(1), (b)(1)(A)(viii) and 18 U.S.C. § 2)

19 On or about January 4, 2005, in the Northern District of California, the defendant

20 SEMYON NEYS,
aka "Sam,"

21 did knowingly and intentionally distribute and possess with intent to distribute a Schedule II
22 controlled substance, to wit: 50 grams or more of methamphetamine, its salts, isomers, and salts
23 of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(viii) and
24 Title 18, United States Code, Section 2.

25
26
27
28
INDICTMENT

1 COUNT THREE: (21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2)

2 On or about and between April 15, 2005 and April 16, 2005, in the Northern District of
3 California, the defendants

4 SEMYON NEYS,
5 aka "Sam"
6 JENA DAVIS,
7 CHRISTOPHER LEE CALDER, and
8 CHARLES MOORE,

9 did knowingly and intentionally distribute and possess with intent to distribute a Schedule I
10 controlled substance, to wit: 3,4 methylenedioxymethamphetamine (MDMA), also known as
11 ecstasy, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18,
12 United States Code, Section 2.

13 COUNT FOUR: (21 U.S.C. § 841(a)(1), (b)(1)(A)(viii) and 18 U.S.C. § 2)

14 On or about April 30, 2005, in the Northern District of California, the defendants

15 SEMYON NEYS,
16 aka "Sam"
17 JENA DAVIS, and
18 URIEL SOTOMAYOR,
19 aka "Jiga,"

20 did knowingly and intentionally distribute and possess with intent to distribute a Schedule II
21 controlled substance, to wit: 50 grams or more of methamphetamine, its salts, isomers, and salts
22 of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(viii) and
23 Title 18, United States Code, Section 2.

24 COUNT FIVE: (21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2)

25 On or about June 21, 2005, in the Northern District of California, the defendants

26 SEMYON NEYS,
27 aka "Sam"
28 CHRISTOPHER LEE CALDER,
PAUL ANCAJIMA, and
AARON DELAROSA,

did knowingly and intentionally distribute and possess with intent to distribute a Schedule I
controlled substance, to wit: 3,4 methylenedioxymethamphetamine (MDMA), also known as

INDICTMENT

1 ecstasy, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18,
2 United States Code, Section 2.

3
4 COUNT SIX: (21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2)

5 On or about July 10, 2005, in the Northern District of California, the defendants

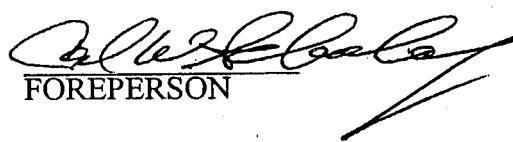
6 SEMYON NEYS,
7 aka "Sam"
8 YEVGENY FRIDMAN
9 aka "Eugene" "Irusik" Zhenya"
JASON TANG
aka "Jay," and
NEIL PAUL SANDERS

10 did knowingly and intentionally distribute and possess with intent to distribute a Schedule I
11 controlled substance, to wit: 3,4 methylenedioxymethamphetamine (MDMA), also known as
12 ecstasy, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18,
13 United States Code, Section 2.

14
15

16 DATED: 7/28/05

A TRUE BILL.


17 FOREPERSON

18
19 KEVIN V. RYAN
United States Attorney

20
21 
22 EUMI CHOI
Chief, Criminal Division

23
24 (Approved as to form: 
AUSA LEE)

25
26
27
28

INDICTMENT

PENALTY SHEET

COUNT ONE:

Maximum Penalty: Life imprisonment with a mandatory minimum of 10 years imprisonment; a fine up to \$4 million; 5 years of supervised release; and, a \$100 special assessment.

COUNT TWO:

Maximum Penalty: Life imprisonment with a mandatory minimum of 10 years imprisonment; a fine up to \$4 million; 5 years of supervised release; and, a \$100 special assessment.

COUNT THREE:

Maximum Penalty: Twenty years imprisonment; a fine up to \$1 million; 3 years of supervised release; and a \$100 special assessment.

COUNT FOUR:

Maximum Penalty: Life imprisonment with a mandatory minimum of 10 years imprisonment; a fine up to \$4 million; 5 years of supervised release; and, a \$100 special assessment.

COUNT FIVE:

Maximum Penalty: Twenty years imprisonment; a fine up to \$1 million; 3 years of supervised release; and a \$100 special assessment.

COUNT SIX:

Maximum Penalty: Twenty years imprisonment; a fine up to \$1 million; 3 years of supervised release; and a \$100 special assessment.

NAME CHART**COUNTS CHARGED**

1.	SEMYON NEYS aka "Sam"	1, 2, 3, 4, 5, 6
2.	YEVGENY FRIDMAN aka "Eugne" "Irusik" Zhenya"	1, 6
3.	JENA DAVIS	1, 3, 4
4.	UREL SOTOMAYER aka "Jiga"	1, 4
5.	JASON TANG aka "Jay"	1, 6
6.	ANTHONY NGUYEN aka "Tuan"	1
7.	ILYA TUCHINSKY	1
8.	CHRISTOPHER LEE CALDER	1, 3, 5
9.	PAUL ANCAJIMA	1, 5
10.	AARON DELAROSA	1, 5
11.	CHARLES MOORE	1,3
12.	JESUS POMPERADA BOSCO aka "Jessie"	1
13.	NEIL PAUL SANDERS	1, 6
14.	OLEG GLADSHTEYN	1
15.	WHITNEY OSTERHOUT	1